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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2010 MAR 15 PM 4:22 ✓

JEANNE HICKS, CLERK

BY: S Smisko

IN THE SUPERIOR COURT OF STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

Cause No. P1300CR20081339

Division 6

STATE'S RESPONSE TO DEFENDANT'S
MOTION FOR EXPEDITED HEARING

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby submits its Response to Defendant's Motion for Expedited Hearing and asks that the Motion be denied. At the same time Defendant requests an expedited hearing, he also files additional motions on the same or closely related issues. As a result, the necessity for expediency has been lost. Moreover, the State must be given adequate time to respond to these motions. If the most recent barrage of motions had been hand delivered, the due date for responses would be March 22, 2010. As these motions were delivered to the State's courthouse box, by law the State has fifteen days to respond putting the due date at March 25, 2010. The hearing on pending issues is currently set for March 30, 2010.

Defendant complains that his resources are strapped due to the on-going disclosure and that immediate rulings would give him relief. The State is well-versed in the challenges of

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1 working with minimal resources which are stretched to the limit; however, that factor is not
2 sufficient cause to "jump the gun" and argue these closely related issues on a piecemeal basis
3 or before they have been fully briefed. Also, the State is aware that this Court has a 12 day trial
4 scheduled to begin March 17, 2010. Any time that the Court might carve out to hear the issues
5 during that trial would be extremely limited.

6
7 As Defendant has filed additional motions on the same or closely related issues as those
8 for which he seeks an expedited hearing and given that even if an expedited hearing were
9 scheduled, the time to argue the issues would be extremely limited, an expedited hearing would
10 serve no meaningful purpose as it would not allow resolution of all the issues pending.
11 Defendant's request should be denied.

12
13 RESPECTFULLY SUBMITTED this 15th day of March, 2010.
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15

16 Sheila Sullivan Polk
YAVAPAI COUNTY ATTORNEY

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18 By:  (For)

19 Joseph C. Butner
20 Deputy County Attorney
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COPIES of the foregoing delivered this
15th day of March, 2010 to:

Honorable Thomas J. Lindberg
Division 6
Yavapai County Superior Court
(via email)

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By: Web Cornell